

Meeting Coventry Fire, Anthony District

Wednesday April 3, 2013

Meeting called to order at 7:00 P.M.

Board members in attendance Gary Cote-chair, Shirley Matthews-co-chair, Jim Beckman, Louis Cote. Peter Pankowicz -absent. Also in attendance Chief Paul Labbadia, Deputy Chief Robert Warren, Arthur Capaldi legal counsel, Tom LaColle treasurer.

AGENDA:

- 1) Emergency evacuation procedures.**
- 2) Roll call**
- 3) Approval of the minutes from the meeting held on March 13, 2013. Louis Cote made a motion to accept the minutes and seconded by Jim Beckman. All in favor, motion carries.**
- 4) Tax office report prepared by Jeanne Lukowicz , tax collector and read by Gary Cote. Taxes collected to date \$1,027,428.97. Interest collected to date \$33,867.99. Tax and interest together \$1,061,296.96. Total legal costs collected \$19,459.61. The total monies collected \$1,080,756.57. We have collected 36 of 2013. We have collected 61 of back taxes. We have sent approximately 80 new letters for tax sale as of 2/20/2013 \$11,632.35 has been collected from those letters.**
- 5) Chair report: Gary Cote talked about the problems going on within the Town of Coventry and the Central Fire District. The court has ordered liquidation of the Central Coventry**

Fire District and it would be shut down on April 11, 2013. There needs to be an alternative plan in place. Gary Cote said he has submitted a plan as the Town Council representative in conjunction with the three surrounding district chiefs and the head of the EMA for the Town of Coventry. Along with the plan, representative Nunes submitted legislation on our behalf to the legislative council which would change the charter of the three surrounding fire districts. It would allow for the split up of and the absorption of the CCFD by the other districts. Gary Cote feels that in order for that plan to work it would require court action in consideration on behalf of the judge. Gary Cote said that as far as equipment and facilities are concerned, we only have one rescue and if we have to take on part of the Central Coventry fire district we will need more equipment. The equipment needs to be spread out around the town, so he is asking for use of at least one of Central Coventry's facilities. Gary Cote said that because an alternative plan was ordered by the judge, he and the fire chiefs of the other three districts, along with their attorneys felt it was prudent to put that plan into place. Gary Cote stated that because that plan exists, it is making for some uncomfortable working conditions in all the fire districts. Gary Cote feels that this is an unfortunate situation for everyone involved, but it was an order made by the judge. Gary also said that we cannot let any taxpayer in

any district go without emergency services.

Gary Cote stated that if the plan goes through it would have to call for the hiring of new personnel in the Hopkins

Hill and the Anthony district, but he could not speak for the Western Coventry fire district. If the plan goes

through it may require working with some of the Central Coventry fire fighters, who are trained and ready. Shirley

Matthews told the personnel if there are any issues that arise such as threats or anything that makes them

uncomfortable to let the Chief know immediately. Gary Cote said it would be up to the Board and Chief Labbadia

to integrate the new personnel into this department. It would also have to be done in a way that is fair to all

employees and taxpayers. There is one more plan that has been submitted by representative Morgan and Senator

Kettle. The judge is looking for alternative plans and is looking at all the plans submitted. Senator Raptakis and

Representative Tomasso have also been working on a plan. Gary Cote said that he received a copy of that plan

today and has given a copy to Chief Labbadia, but has not had a chance to look it over completely. He does know if

it calls for keeping the CCFD in existence. This would require legislative change before that could happen. We only

have 12 days to find a plan to provide emergency services all the residents in Coventry. Gary cote said at this point

he is unsure if any of these plans are feasible. The only other plan

would be for the Town to take over and creating
1 municipal fire dept. this would make the Town the taxing authority.
Then they would have to decide on one
Chief and the officers. This plan has not been submitted to the judge
at this point. Gary Cote said that as
President of the town council he has not stood up in court and
accepted that responsibility. That plan would
require action by the entire town council. Gary Cote feels that this
would not be a good plan at this time, but is

willing to listen to all the facts. If the numbers and services are
correct for the taxpayers he would consider the
plan. He believes the town council would not want to take over the
responsibility of a municipal fire dept. but
that might be what has to happen to be able to provide emergency
services to the entire town. Gary Cote said
that in his estimation it would cost between 18 and 22 million dollars
to enact this plan. The only way the town
has to raise money is through taxation and this would affect every tax
payer in all districts throughout Coventry.

Gary Cote said that he feels uncomfortable holding the tax payers in
the other districts responsible for the
mistakes made in the CCFD. Gary Cote thanked all the personnel for
maintaining their professionalism during
these difficult times. Gary also said the town will get through this but
it won't be easy for anybody, but we will

move ahead. In the near future the personnel will be asked to take on a lot more work but has all the confidence that they will be able to accomplish that and remain professional. Gary Cote told the personnel that if they had any issues or problems to contact him and he would help in any way possible.

Jim Beckman asked if Gary Cote had been representing himself as the chairman of the board or as the Town Council President when submitting his preliminary plan to the judge. Gary Cote said more as the Town Council President because the judge stated that he wanted to get the leaders of the Town of Coventry involved in coming up with a plan. The plan was formulated by himself, Chief Labbadia, Brian Volpe, Richard Land and Chief Baynes and the chiefs of the other districts. Gary Cote stated that he is in an uncomfortable situation as head of this board and the Town Council President. Before Gary ran for the Town Council, he had Arthur Capaldi submit a letter to the Ethics Committee for an opinion. The Ethics Committee said it would not be a conflict of interest as long as the fire district and the Town Council stayed separate. If the two become one he would have to step down from one of his positions. Arthur Capaldi stated that Gary has been represented in court as the Town Council President. The fire districts were represented by Arthur Capaldi and the attorneys for the other districts except Western. Any

motions made were made by the attorneys not Gary. Arthur Capaldi also said that he told Gary as long as there was no conflict between this fire district and the Town it is perfectly legal for him to do what he is doing. Jim Beckman asked about the plan that was submitted. The Chief said that the preliminary plan that was submitted would have to come back to the board for approval before being approved by the taxpayers. Jim Beckman asked if the plan submitted involved any monetary cost to the district. Arthur Capaldi answered no and the plan was submitted for the other three fire districts on behalf of their chiefs. Gary Cote also said that they made it perfectly clear to the judge that long term emergency services could not be provided to CCFD without monetary reimbursement to the other three districts and the judge is fully aware of that fact. Before any plans can even go forward, Gary Cote stated that he planned to ask the board to vote tonight on being able to call an emergency meeting of our taxpayers. That is why he asked Arthur Capaldi to check our charter for the steps that are needed to be taken before the meeting can be called. Gary Cote has been given a copy of these steps, and is available to the public. It will take a majority vote by our taxpayers for any plan to move forward. Gary Cote stated that on Monday he attended a meeting with Speaker of the House Fox and President of the Senate Theresa Paiva-Weed

and said that the three surrounding districts plan would in no way shape or form accept responsibility for any outstanding debt from the CCFD. We do not want the responsibility of that debt that continues to grow daily. The amount of money initially owed on the day the budget was voted down was 3.3 million and on the day the judge ordered liquidation was 9.3 million. There is \$6,000,000.00 in unfunded pension liabilities along with the safer grant being called for reimbursement, which is \$1,000,000.00 plus interest which growing daily. As of right now the debt is approximately 10.4 million. The Chief stated he does not want to put any unnecessary debt on our taxpayers. In the event we had to provide emergency services the plan included freezing any funds that were levied from the budget that was passed in Central initially. The third quarter for Central is still due. Gary Cote said that another issue is the use of Centrals equipment and facilities. The judge said that no consideration would be made that would affect public safety in the town. The judge's job now is liquidation and satisfying the creditors. The judge ordered the special master for Central to hire an auctioneer for the liquidation. The Chief said that we wanted to borrow the equipment temporarily until we got a process going to prioritize emergency calls and we would run the trucks with overtime. Jim Beckman said that would be monetary to our district. The Chief said the

overtime would have been paid for by the taxpayers in Central. The Chief asked the judge to freeze \$5,000.00 a day to run two rescues around the clock. One in our district and one in the Hopkins Hill district. That required \$155,000.00 being put into a fund for us to use so it would not have to come from our taxpayers. The judge denied that request. Jim Beckman said that is because we are not one of Central's creditors. The Chief said that this is uncharted territory and that no other fire district has ever gone under before. There is no precedence to go

by and no case law to back up any decision. The judge wants the state to make the decisions on how to handle the situation. Gary Cote said that as Town Council President he has the authority to declare a state of emergency. If it comes to that, the decision would be made with the EMA director, Brian Volpe and the chiefs of the three other districts. Governor Chaffee said that he would make state resources available if and when that time comes to provide emergency services to the town. Gary Cote is unsure of what that includes. The Army and National Guard have paramedics but he is not sure if they are licensed in R.I. Maybe they will have to be added to our rescues with our personnel. Gary Cote said that petitions would be heard by the judge on April 8th • some may be dismissed, some approved, nobody really knows at this point. The

only they know is that at midnight on April 11th the CCFD is closed and a plan needs to be in effect by then. The Chief feels that is unfair for our taxpayers to pay the bill for emergency services provided to another district. Measures are being taken to insure the safety of everyone. All the trucks in our district will be equipped with ALS (advanced life support) in the event that our rescue is responding to another call. It is a small monetary cost of \$500.00 but is definitely worth the investment. These trucks would be able to provide ALS help until the rescue arrives for transport. The Chief said that there would be no tax increase and maybe even a small savings in absorbing a portion of the CCFD. Gary cote said that new district lines have been sketched out using the Pawtuxet River as a divider between the Anthony and the Hopkins Hill districts. Western would have from Maple Valley to Deer Run. Gary Cote said that there is no easy solution and the Chief said that one fire district is easier said than done. Gary Cote mentioned that when Central sent out the voluntary tax bill, some residents paid it in full. We cannot tax those people until next year. Gary Cote said that Representative Morgan's plan consisted of privatizing rescue service with two rescues from Connecticut. These rescues would not provide mutual aid to the other districts. The problems in right now will affect the Town in June with the FTM, and the other fire districts at their

annual meetings. If the Town was to take over it would raise everyone's property tax throughout the Town of Coventry. The Chief said that legislative changes must be made to insure that a small number of tax payers can't make the decision for everyone. If the charter is changed it would help prevent an overwhelming deficit. The Chief said if the budget doesn't pass it would revert back to the previous years' budget. Gary Cote said that liquidation is not a bankruptcy. If there is still money owed after liquidation it will have to be paid back by the Central Coventry taxpayers. If the plan to absorb some of Central goes into effect everyone from Central on this side of the Pawtuxet will have to pay \$2.80 per thousand to our district plus whatever is still owed to the court. The court has the authority to assess a supplemental tax bill to those taxpayers from the CCFD to payoff the debt not paid off through liquidation. For example if the judge orders them to pay \$2.00 per thousand on top of the \$2.80 it would mean they would pay \$4.80 per thousand until paid in full. That could be 4 or 5 years because the debt continues to grow. Gary Cote said that out of the 1,847 people that voted on the budget only 127 stayed to listen to the presentation that explained all that information. Arthur Capaldi mentioned that ultimately if someone dies in the Central Fire district and there is no fire service, every fire district and the town

could be sued for not providing service. The Chief said that services we are getting in this town are a combined effort among all the districts. Some districts pay more some pays less but the services are the same. The Chief said that it should be one fire district, one tax, Louis Cote agreed. Population density determines your budget. The Chief feels that one district and one rate is what the taxpayers should be striving for, but it has to be what the tax payers want, not what he wants. The legislature could come up with one charter if that is what the tax payers want, they do have that authority. The tax payers think they won't save money with one district, but we have 4 fire chiefs making \$72,000.00 a year. He knows one district means he could lose his job, but public safety has to come first. Gary Cote said that if the Town took over the fire dept. it would be tough for them to negotiate a reasonable contract on behalf of the taxpayers with unions that have binding arbitration. The Chief said that all the fire equipment is owned b~ the tax payer. Gary Cote said that the Town of Coventry would have to buy everything at a cost of 18 to 22 million~ dollars which would be put on every tax payer in town through property tax, there would be no fire tax but your ~property tax would go up at least a \$1,000.00 a year. Jim Beckman feels it might be worth that amount of money. Gary Cote says that the tax payers are not going to want higher taxes. Shirley Matthews said that

she thinks it is to our advantage to keep the money in the fire district to be used solely for fire service.

Louis Cote asked if it would require tax payer approval to take over a part of Central. Gary Cote said it would, and he has the list of rules for calling an emergency meeting. Louis Cote asked if that plan would involve any financial responsibility to our district. Gary Cote said that the plan is to have us accept no financial responsibility. Jim

Beckman stated for the record that Arkwright Mill contacted the Cranston fire dept. to be added to their run card for fire coverage in an emergency.

The Chief said that blizzard reimbursement would cover 75 of the roof damage and the district would have to pay 25 of the cost. The estimates were around \$5,000.00. The Chief also asked to amend his request to buy a vehicle with the State Police. It would be cheaper to go through the dealer. Shirley Matthews made a motion to accept the Chiefs request, seconded by louis Cote. All in favor, motion carries. Gary Cote asked the Chief about getting the estimates for the hoses and the blue book value of his vehicle in writing and the Chief said he would do that for the next meeting. Louis Cote asked if we were still going to do the vents on the trucks and the Chief said yes.

Tom LaColle read the budget. Shirley Matthews made a motion to

accept the treasurer's report, seconded by Louis Cote. All in favor motion carries. Gary Cote thanked Jeanne Lukowicz for doing an outstanding job as he has received many compliments about her and how she helps the tax payers. Arthur Capaldi said that Jeanne is an outstanding tax collector who is dedicated and passionate. Jeanne Lukowicz said that there were two billing errors made and the tax payers involved were requesting the interest be abated since it was not their fault. Jim Beckman made a motion to abate the interest, seconded by Louis Cote. All in favor motion carries.

PUBLIC COMMENT:

A taxpayer said that the Chief is doing a good job and the men respond quickly to emergencies. He questioned who would pay for the extra street lights and the fire hydrants. Gary Cote said that would be paid for with the taxes collected from the people from Central. He also stated he doesn't know how you can impose a tax rate increase on the people from Central when they voted it down. Another tax payer asked if we are going to cover Central who will be covering this district. Gary Cote answered that response time will be slower, but we will work on that. The Chief said that they are working on a plan that would not deplete manpower in any district at any time. That is why adding the ALS to all trucks is necessary. Gary Cote said that all police cars in Coventry are

equipped with defibrillators and all officers are trained on how to use them. The Chief said that help will be there even if it is from Hopkins Hill or West Warwick. A taxpayer asked if he planned on maintain a three tier tax system.

The Chief said they are working on that and it might require legislative change. Representative Nunes is working on a plan that is tailored for each separate fire district and Scott Guthrie's plan is for the state as a whole. A

taxpayer asked if the three tier tax system had already been changed at the State House. Gary Cote said he

thought it was changed back under the former Chief, but just wants the language to be cleared up so that there is

no confusion. Another tax payer asked if the votes at the annual meeting could be in ballot form instead of just

yelling yah and nay. Gary Cote said that the public can ask for a ballot vote at the annual meeting. The Chief said

you need 36 people for a quorum and sometimes we can't even get that many people. Jim Beckman said Central

used to be that way until they started having problems. The Chief said that is why there needs to be changes

made to the charger so that 36 people can't make the decisions for the whole district. The taxpayer also

mentioned that the meetings for Central get a little loud. Shirley Matthews agreed. Gary Cote said that is why we

hire a moderator.

Gary Cote asked the board for permission to call a special meeting of

the tax payers. Shirley Matthews made a motion to allow Gary Cote to call a special meeting of the taxpayers, seconded by Louis Cote. Gary Cote- yes, Shirley Matthews-yes, Louis Cote- yes, Jim Beckman- no. Motion carries on a 3 to 1 vote. Shirley Matthews made a motion to adjourn the meeting, seconded by louis Cote. All in favor, motion carries.

Meeting adjourned at 8:40P.M.

Respectfully submitted

Mary Perry